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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,600	12/19/2001	Wayne C. Horn	2019.320	1285

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EXAMINER

TANG, SON M

ART UNIT	PAPER NUMBER
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2632

DATE MAILED: 04/07/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,600

Applicant(s)

HOM ET AL.

Examiner

Son M Tang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 6, 8, 10 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by AMES et al. [US 2002/0002443].

Regarding to claims 1 and 10: AMES et al. disclose a system for monitoring the operation of a security system comprising:

-a security system met by a sentry unit [100] for controlling access to a secure area includes, a movable barrier [402] operated by a barrier controller [414] [see Fig. 1 and 6];

-a diagnostic module met by watch commander [102] in conjunction with sentry unit [100], watch commander includes a microprocessor [200], which monitors various operational parameters of the security system feed from sentry unit [see Fig. 7A &B paragraph 0065];

-said watch commander [102] includes a two-way wireless communications (met by secondary network [202] (redundant communication link) conjunction with said microprocessor [200] (as shown in Fig. 7A, paragraphs [0065 and 0071];

-a remote monitor met by a host computer [104] capable of two way wireless communication with said communication unit of watch commander unit; and

-wherein said microprocessor [200] of watch commander unit monitors the operational parameters of the sentry unit and when any of said operational parameters of the system reach a pre-designated (predetermined) level which met by the internal rules set, the watch commander automatically (*real time*) reports to said host computer [see Fig. 3 and paragraphs 0063, 0091-0094, 0096-0099 and **0088**].

Regarding to claims 2 and 13: AMES et al. further disclose that wherein the remote monitor (host computer or master) is polling data (status of various operational parameters of the security system) from watch command (slave unit) [see paragraph 0072-0073].

Regarding to claims 6, 8 and 15: As stated by AMES et al. that the host computer and watch command communicating via cellular telephone [paragraph 0071], which met by the claimed of two-way pagers communication.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **3, 7, 9, 11 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over **AMES et al.** [US 2002/0002443].

Regarding to claims 3 and 14: AMES et al. disclose all the limitation as described above, AMES et al. does not specifically show that the watch command unit (diagnostic module) is functionally independent of the security system. As stated in paragraph 0065 that the watch commander is identifying the operation problems and a communications interfaces between of a security system (sentry) and host computer. Therefore, it is obvious that watch command unit is functioning independently.

Regarding to claims 7, 9 and 11: AMES et al. disclose all the limitation as described above, except for not specific show that a service technician with said remote monitor communicates with said diagnostic unit. However, as long as the host computer is communicating with the watch commander, whether by automatic polling or manual is an obvious of an alternative method of choice, since some problem that indicates of require technician attention (such as motor worn out or ice build up) at the gate.

5. Claims **4-5 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over **AMES et al.** [US 2002/0002443] in view of **Parsadayan** [US 5,869,940].

Regarding to claims 4-5 and 12: AMES et al. disclose all the limitation as described above, except for not specific show that the diagnostic module has its own power supply. Parsadayan teaches a gate operator apparatus which comprising, a control circuit [92] includes a microprocessor [94] for controlling the gate, and a battery [108] cited in Fig. 6, col. 9, lines 15-25]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a back up or it owns power as taught by Parsadayan into the system of AMES et al. for preventing of false alarm.

6. Claims **16-18** are rejected under 35 U.S.C. 103(a) as being unpatentable over **AMES et al.** [US 2002/0002443] in view of **Brittain et al.** [US 5,019,802].

Regarding to claims 16 and 18: AMES et al. disclose a system for monitoring the operation of a security system comprising:

- a security system met by a sentry unit [100] for controlling access to a secure area includes, a movable barrier [402] operated by a barrier controller [414] [see Fig. 1 and 6];

- a diagnostic module met by watch commander [102] in conjunction with sentry unit [100], watch commander includes a microprocessor [200], which monitors various operational parameters of the security system feed from sentry unit [see Fig. 7A &B paragraph 0065];

- said watch commander [102] includes a two-way wireless communications (met by secondary network [202] (redundant communication link) conjunction with said microprocessor [200] (as shown in Fig. 7A, paragraphs [0065 and 0071];

- a remote monitor met by a host computer [104] capable of two way wireless communication with said communication unit of watch commander unit; and

- wherein said microprocessor [200] of watch commander unit monitors the operational parameters of the sentry unit and when any of said operational parameters of the system reach a pre-designated (predetermined) level which met by the internal rules set, the watch commander automatically (*real time*) reports to said host computer [see Fig. 3 and paragraphs 0063, 0091-0094, 0096-0099 and **0088**].

AMES et al. fail to specify that wherein the local diagnostic 102 being powered by a second power system that is independent from said the first power system, whenever first power system is not operational.

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Brittain et al. teach a security system which comprising, a first power system 70, and an additional second power system (batteries), which uses as a backup power [as cited in col. 7, lines 34-47]. Since, both references are using for monitoring, it would have been obvious of one having ordinary skill in the art to recognize that at the time the invention was made to employ a second power supply as taught by Brittain et al. into the system of AMES et al. for the benefit of increasing safety and prevent false alarm when first power supply failed.

Regarding to claim 17: AMES et al. further disclose that the communication between said local unit and remote unit is initiated and maintained when proper security codes is received at remote unit [as cited in Fig. 9A-9D and ¶ 0074-0075].

7. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over **AMES et al.** [US 2002/0002443] in view of **Gilbert et al.** [US 6,380,851] and further in view of Ferrer et al. [US 6,487,375].

Regarding to claim 19: AMES et al. and Gilbert et al. disclose all the limitation as described above, they are not specify that wherein said remote center is a pager unit carried by a technician. Ferrer et al. teach a system to communicate information from a plurality of machines to a remotely located receiver which comprises, a pager unit carried by a technician [as cited in the Summary of the invention and specifically col. 2, lines 39-41]. Since, Ferrer et al. system also uses for monitoring a diagnostic machine and reporting to the remote location, thus, it would have been obvious of one having ordinary skill in the art to recognize that the remote location can be a pager unit carried by a technician as taught by the prior art of Ferrer and it can be

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implement into the system of the combination above, for enhancing quick response to the problem.

Response to Arguments

1. Applicant's arguments filed 9/29/03 have been fully considered but they are not persuasive.

The applicant argues that AMES et al. reference does not disclose “upon detection of at least one predetermined change in an operational parameters of the security system said microcontroller causes said first two-way communication unit to send a signal to said second two-way communication unit”.

AMES et al. disclose that the system can be reported in three categories: real time, periodic and on-demand [as cited in ¶ 0088], which means that in real time category the system automatic reports upon detected problem. And, in an other embodiment [cited in ¶ 0071], AMES et al. disclose that, utilizing a cellular telephone connection for communication between (master-slave) such as watch commander and host computer, therefore, the same method of utilizing a cellular telephone is inhering for watch commander and sentries.

Conclusion

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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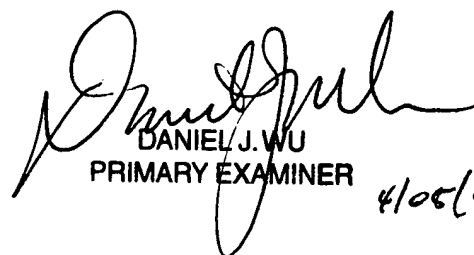
MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son M Tang whose telephone number is (703)306-5970. The examiner can normally be reached on 4/9 First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J Wu can be reached on (703)308-6730. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Son Tang


DANIEL J. WU
PRIMARY EXAMINER
4/05/04